

**REMARKS**

This application has been carefully reviewed in light of the Office Action mailed September 20, 2002. In order to advance the prosecution of this application, Applicants have responded to each issue raised by the Examiner. Applicants respectfully request reconsideration, further examination, and favorable action in this case.

The Examiner rejects Claims 23-41 and 43-45 under 35 U.S.C. § 102(e), as being unpatentable over U.S. Patent No. 6,064,856 by Lee et al. ("*Lee*"). The Examiner also rejects Claims 42 and 46 under 35 U.S.C. § 103(a), as being obvious over *Lee* in view of U.S. Patent No. 6,190,178 by Oh. ("*Oh*"). Applicants respectfully traverse these rejections and all findings and assertions therein for the reasons discussed below.

Amended Claim 23 recites a method for teaching a class, which includes:

- releasing a learning activity, releasing the learning activity comprising:
  - associating the learning activity with at least one student, the learning activity comprising at least one assessment procedure including a subjective assessment procedure and an objective assessment procedure;
  - receiving a release instruction for the learning activity; and
  - providing access to the learning activity for the student associated with the learning activity;
- receiving responses to a plurality of questions from the student for the at least one assessment procedure, the responses comprises one or more subjective responses and one or more objective responses;
- generating a score associated with the assessment procedure, generating the score comprising scoring the objective assessment procedure using the one or more objective responses and providing the one or more subjective responses to a teacher for assessment.

*Lee* and *Oh* fail to teach or suggest all elements of Claim 23.

*Lee* discloses an educational method and system. (*Abstract*). *Lee* lacks any mention of a learning activity that includes "at least one assessment procedure," which includes "a subjective assessment procedure and an objective assessment procedure" as recited in Claim 23. *Lee* also fails to teach or suggest receiving responses to a plurality of questions, where the responses include "one or more subjective responses and one or more objective responses" as recited in Claim 23. In addition, *Lee* fails to teach or suggest generating a

score by “scoring the objective assessment procedure using the one or more objective responses and providing the one or more subjective responses to a teacher for assessment” as recited in Claim 23. As a result, *Lee* fails to teach or suggest Claim 23.

*Oh* discloses a remote education method and apparatus. (*Abstract*). *Oh* also fails to teach or suggest these elements of Claim 23. As a result, *Oh* fails to teach or suggest Claim 23.

For at least these reasons, the proposed *Lee-Oh* combination fails to teach or suggest all elements of Claim 23. Applicants respectfully request withdrawal of the rejection and full allowance of Claim 23, and Claims 24-30 depending from Claim 23.

Amended Claim 31 recites system for teaching a class, which includes:

a computer-readable medium; and  
logic stored on the computer-readable medium, the logic operable to associate the learning activity with at least one student, the learning activity comprising at least one assessment procedure including a subjective assessment procedure and an objective assessment procedure, the logic also operable to receive a release instruction for the learning activity and to provide access to the learning activity for the student associated with the learning activity, the logic further operable to receive responses to a plurality of questions from the student for the at least one assessment procedure and to generate a score associated with the assessment procedure, the responses comprises one or more subjective responses and one or more objective responses, generating the score comprising scoring the objective assessment procedure using the one or more objective responses and providing the one or more subjective responses to a teacher for assessment.

As described above, the proposed *Lee-Oh* combination fails to teach or suggest a learning activity that includes “at least one assessment procedure including a subjective assessment procedure and an objective assessment procedure” as recited in Claim 31. The proposed *Lee-Oh* combination also fails to teach or suggest receiving responses that include “one or more subjective responses and one or more objective responses” as recited in Claim 31. In addition, the proposed *Lee-Oh* combination fails to teach or suggest that generating the score includes “scoring the objective assessment procedure using the one or more objective responses and providing the one or more subjective responses to a teacher for assessment” as recited in Claim 31.

For at least these reasons, the proposed *Lee-Oh* combination fails to teach or suggest all elements of Claim 31. Applicants respectfully request withdrawal of the rejection and full allowance of Claim 31, and Claims 32-38 depending from Claim 31.

Amended Claim 39 recites a method for a student in a class to complete a learning activity released for the student, which includes:

- accessing the learning activity, the learning activity comprising at least one assessment procedure, the assessment procedure comprising an objective portion and a subjective portion;
- providing responses to a plurality of questions for the assessment procedure;
- automatically receiving a first score for the objective portion of the assessment procedure based on the responses provided; and
- receiving a second score for the subjective portion of the assessment procedure after assessment of the second score by a teacher.

As described above, the proposed *Lee-Oh* combination fails to teach or suggest at least one assessment procedure that includes “an objective portion and a subjective portion” as recited in Claim 39. The proposed *Lee-Oh* combination also fails to teach or suggest “automatically receiving a first score for the objective portion of the assessment procedure based on the responses provided” and “receiving a second score for the subjective portion of the assessment procedure after assessment of the second score by a teacher” as recited in Claim 39.

For at least these reasons, the proposed *Lee-Oh* combination fails to teach or suggest all elements of Claim 39. Applicants respectfully request withdrawal of the rejection and full allowance of Claim 39, and Claims 40-42 depending from Claim 39.

Amended Claim 43 recites a system for a student in a class to complete a learning activity released for the student, which includes:

- a computer-readable medium; and
- logic stored on the computer-readable medium, the logic operable to provide access to the learning activity for the student, the learning activity comprising at least one assessment procedure, the assessment procedure comprising an objective portion and a subjective portion, the logic also operable to receive from the student responses to a plurality of questions for the assessment procedure, to automatically score

the objective portion of the assessment procedure based on the responses provided, and to provide the subjective responses to a teacher for assessment.

As described above, the proposed *Lee-Oh* combination fails to teach or suggest at least one assessment procedure that includes “an objective portion and a subjective portion.” The proposed *Lee-Oh* combination also fails to teach or suggest automatically scoring “the objective portion of the assessment procedure based on the responses provided” and providing “the subjective responses to a teacher for assessment” as recited in Claim 43.

For at least these reasons, the proposed *Lee-Oh* combination fails to teach or suggest all elements of Claim 43. Applicants respectfully request withdrawal of the rejection and full allowance of Claim 43, and Claims 44-46 depending from Claim 43.

**CONCLUSION**

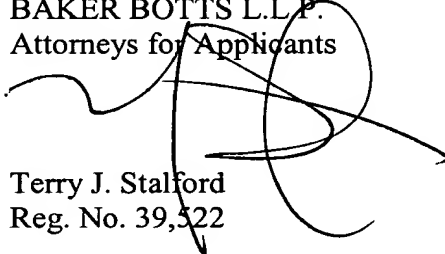
Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further request that the Examiner contact the undersigned attorney to schedule the telephone conference.

A check in the amount of \$465.00 is enclosed for a three-month extension of time. Although no other fees are believed to be due, the Commissioner is hereby authorized to charge any other fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

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